

The motion is denied, without prejudice, as withdrawn.



DENIED AS WITHDRAWN.
SIGNED this 29th day of March, 2016

THIS ORDER HAS BEEN ENTERED ON THE DOCKET.
PLEASE SEE DOCKET FOR ENTRY DATE.

Nicholas W. Whittenburg
Nicholas W. Whittenburg
UNITED STATES BANKRUPTCY JUDGE

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

In re:)	
)	
New Beginnings Care, LLC, et. al.,)	Case No. 1:16-bk-10272-NWW
)	Chapter 11
)	
Debtors)	Jointly Administered

ADMINISTRATIVE ORDER UNDER 11 U.S.C. §§ 105(A) AND 331
ESTABLISHING PROCEDURES FOR INTERIM COMPENSATION AND
REIMBURSEMENT OF EXPENSES OF PROFESSIONALS

Upon consideration of the motion for administrative order under 11 U.S.C. §§ 105 and 331 establishing procedures for interim compensation and reimbursement of expenses of professionals (the "Motion"), filed by the Debtors; and due and adequate notice having been given under the circumstances; and it appearing that the relief requested is in the best interests of the Debtors' estates, their creditors, and other parties in interest, and that good cause has been shown for the relief requested; it is hereby

ORDERED that the Motion is granted; and it is further

ORDERED that except as the Court may otherwise order, each professional listed in paragraph 1(a) below whose retention in these Chapter 11 cases has been approved or whose retention application is later approved by the Court ("Professionals") may seek interim compensation for services and reimbursement of expenses in accordance with the following procedures:

Weekly Interim Compensation and Reimbursement

1. The Debtors propose that the payment of compensation and reimbursement of the Professionals on a weekly basis be structured as follows:

- a. For 1.) Debtors' counsel, 2.) 3MC for its professional bankruptcy services, 3.) Official Creditors Committee counsel and 4.) Financial Consultant to the Committee, each Professional will receive up to one-fourth of Eighty percent (80%) of the amount budgeted weekly for professional fees by the Debtors. The remaining twenty percent (20%) shall be a hold back held in Debtors' counsel's trust account pending application and approval of the Professionals' Fees by later order of the Court.
- b. Notwithstanding paragraph 1(a), all funds payable to 3MC on account of professional bankruptcy services will be held in Debtor's counsel's trust account pending approval (through application or modification) of 3MC's separate compensation proposal for bankruptcy-related services.
- c. All such weekly interim compensation provided for in this Order are not final and are subject to partial and or complete disgorgement.
- d. In addition, Professionals shall provide to the United States Trustee monthly invoices, with attached time-records. Such invoices shall be provided on not later than the 15th day of the following month. Regardless of receipt of such invoices, the United States Trustee shall retain its rights to object to any interim or final fee application.

2. All interim applications for approval of compensation and reimbursement of expenses shall be subject to the following requirements and procedures:

- a. All interim fee applications shall cover the same uniform time periods. The first uniform period for interim fee applications shall be the period from the Petition Date through May 31, 2016. Thereafter, the subsequent uniform periods shall cover each successive four calendar-month period.

b. To be considered on an interim basis, an application must be timely filed and served within 40 days of the close of each interim fee period (the "Application Filing Period").

c. Regardless of the date on which an interim fee application is filed, all objections to interim fee applications must be filed within 30 days of the filing of the interim fee application.

d. Hearings on interim fee applications will be held on the next preset hearing date following the day on which objections were due; and it is further

ORDERED that notice of hearings to consider interim applications for application for compensation and reimbursement filed by a Professional shall be limited to all parties on the master service list maintained in these cases and parties requesting notice; and it is further

ORDERED that the procedures outlined above shall not apply to professionals retained in the ordinary course of the Debtors' businesses or to accountants, financial advisors, and other special counsel for the Debtors, if any, for whom the Court does not specifically enter an order governing compensation

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PREPARED AND APPROVED:

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